



CONTRACT LAW DIVISION

Office of the Assistant General Counsel for Finance & Litigation



Biweekly Report - Period Ending June 8, 1996

Integrated Systems Group v. DOC

Appellant, which had been terminated for default for failure to deliver a tape back-up system, has filed an appeal at GSBICA. Although the contract value was under \$4,000, appellant is seeking approximately \$20,000 in termination costs. The basis of the appeal is faulty Government specifications and improper motive in terminating appellant. Lisa J. Obayashi has the case.

Quality Elevator Company—GAO B-271899

We have filed the Department's agency report in this matter and staved off attempts by the protester to obtain the proposals of other competitors. GAO determined that Quality's protest that the Department's evaluations were unreasonable and that discussions were improper, did not warrant production of proposals of other competitors, save the awardee. We are now awaiting protester's response to the agency report. Cecilia Jones and Catherine Shea have the matter.

Black Diamond Enterprises, Ltd. v. SBA

The GSBICA has issued a Show Cause Order asking why the Department of Commerce should not be substituted in place of the Small Business Administration in an ap-

peal filed by a PTO contractor. The Appellant, a participant in SBA's 8(a) program, was terminated for default and filed an appeal at GSBICA against SBA. As DOC is the proper respondent to this appeal, the Department consented to substitution. A supplement to the Appeal File is being prepared by Lisa J. Obayashi.

Data Capture System (DCS) 2000 Parallel Review

A draft Request for Proposals is scheduled to be released for vendor comments on June 21. We are providing comments on the draft to the Acquisition Review Team and attending weekly acquisition strategy meetings. Contract award is now estimated for February, 1997. We are also assisting the CO in responding to the request of a potential subcontractor that it be allowed to participate in the procurement even though it had substantial responsibility for the 1995 prototype test, which established the basic technology which will be used in the final system. Fred Kopatich is advising.

GEM Eng'g Co. v. DOC—GSBICA 13566-COM

We filed a motion to dismiss for failure to prosecute in this appeal before the GSA Board of Contract Appeals. Catherine Shea and Jeff Hughes have the case.

US v. IBM discovery

Jeff Hughes is coordinating the response to some discovery initiated by IBM in its attempts to set aside a Consent Decree issued in 1956 and last modified in 1970. Commerce and Census are among 19 priority agencies now involved in this effort.

Ken is Back

Ken Lechter has returned from an 8 month detail as Chief of Staff to the General Counsel. However, 3 days later, he took his vacation and went directly from there to present the procurement section of a week long administrative and financial training course to Asian FCS personnel in Djakarta, Indonesia. CLD wishes to express its appreciation to Claire Mansburg, Diane Husereau, and Jerri Rostrom-Lee of PGAS, who spent hours preparing the excellent training materials and who had presented this training to enthusiastic audiences on two previous occasions.

Core Financial System

We remain unable to resolve with Rel-Tek, the CFS subcontractor, an acceptance timetable and payment schedule satisfactory to the Department. Mark Langstein is advising.

Actions Completed/Received during Period

	From 5/26/96	To 6/8/96
	Received	Completed
NIST	2	1
NOAA	6	5
O/S	1	1
PTO	1	1
Total	10	8

Contract Law Division—Client Workload Period Ending 06/08/96

